
Local Government & Housing Committee

HB 2412

Brief Description: Addressing fully contained communities authorized under the growth management act.

Sponsors: Representatives Nelson, Springer, White and Simpson.

Brief Summary of Bill

- Restricts the creation of fully contained communities to only those Growth Management Act planning counties located east of the crest of the Cascade mountain range.

Hearing Date: 1/11/10

Staff: Thamas Osborn (786-7129)

Background:

Overview of the Growth Management Act

The Growth Management Act (GMA or Act) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, the GMA establishes numerous requirements for local governments obligated by mandate or choice to fully plan under the Act (planning jurisdictions) and a reduced number of directives for all other counties and cities.

Directives applying to all counties and cities require the designation of agricultural, forest, and mineral lands that have long-term significance for commercial use. All counties and cities must also designate and protect critical areas, areas that include wetlands and frequently flooded areas.

The GMA directs planning jurisdictions to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, each of which is a subset of a

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comprehensive plan. The implementation of comprehensive plans occurs through development regulations mandated by the GMA.

The GMA includes numerous requirements relating to the use or development of land in urban and rural areas. Among other requirements, counties that fully plan under the GMA (planning counties) must designate urban growth areas (UGAs) or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Additionally, planning counties and each city within these counties must include within their UGAs, areas and densities that are sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period.

Fully Contained Communities

Any county planning under the GMA may authorize the siting of new fully contained communities (FCCs) located outside of initially designated UGAs if specific requirements are met. Examples of requirements that must be met include:

- providing for new infrastructure and establishing impact fees;
- ensuring through development regulations that urban growth will not occur in adjacent nonurban areas;
- making provisions to mitigate impacts on designated agricultural land, forest lands, and mineral resource lands;
- developing affordable housing for a broad range of income levels; and
- creating a mix of uses and services for the residents of the community.

A county establishing a new FCC outside of a designated UGA must offset UGA population projections so as to account for the population projection allocated to the new FCC. Additionally, the final approval of an application for a new FCC is considered an adopted amendment to a comprehensive plan, which must designate the new FCC as a UGA.

Summary of Bill:

The act restricts the creation of FCCs to *only* those GMA planning counties located east of the crest of the Cascade mountain range.

The act does not apply to those FCCs created west of the crest of the Cascade mountains that have been approved prior to the effective date of the act and which are compliant with pertinent GMA requirements.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.